

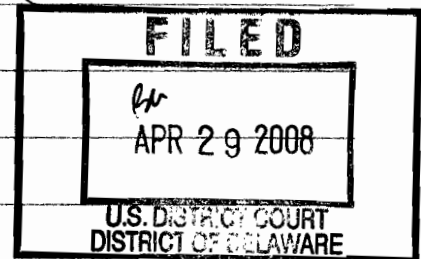
IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

Jimmie Lewis

vs.

CA NO. 06-778 (GMS)

THOMAS. L. CARROLL, ET AL



PLEADINGS AND EXHIBITS #3 IN SUPPORT  
OF PLAINTIFFS SECOND AMENDED MOTION  
FOR PRELIMINARY INJUNCTION, PURSUANT  
TO FED R. CIV P# 65.

DATE: 4/25/08

Jimmie Lewis  
SBI#506622

D.C.C

1181 PADDOCK RD

SMYRNA, DE 19977

#110.) THE PLAINTIFF, AFTER YELLING AT THE TOP OF HIS VOCAL CORDS, AND EVEN THEN ONLY BECAUSE HE WAS IN THE IMMEDIATE PRESENCE OF DR. O, IN THE D.C.C INFIRMARY PRESCRIBED TO BE ON LEVEL 1 PSYCH OBSERVATION, DATING FROM 12/14/07 THRU 1/22/08, AND DR. DEPOSE, WHILE IN THE SHU 18 BARBER SHOP 10 FEET AWAY FROM THE MEDICAL STATION, DATING 2/27/08 TO 2/28/08 5:00 PM TO 5:00 PM, DID RECEIVE MEDICAL TREATMENT, BUT IT MUST BE TAKEN INTO CONSIDERATION WITH THE FACT, THAT PLAINTIFF WAS DOCUMENTED AS RECEIVING MEDICAL TREATMENT AT THOSE TIME, BUT DEFENDANTS CAN'T NOT PRODUCE "MEDICAL SICK CALL SLIPS" TO COINCIDE AS EVIDENCE.

FURTHERMORE, NONE OF THE ~~PLAINTIFFS~~ DEFENDANTS ARE RESPONSIBLE FOR PROVIDING THE MEDICAL TREATMENT THE PLAINTIFF RECEIVED.

#112.) FOR AN ORDER FOR DEFENDANTS TO INVESTIGATE EXACTLY HOW MANY INMATES WERE RETURNED FROM THE D.P.C BACK TO THE D.C.C WITHOUT AN OFFICIAL COURT ORDER AND OR COMPETENCY HEARINGS.

#113.) THE DEFENDANTS SUPPLY "HOT WATER" TO THE PLAINTIFF THAT IS CONTAMINATED WITH CARCINOGENS AND OTHER HARMFUL POLLUTANTS, EXTRACTED FROM THE POND IN BACK OF THE SHU, (THAT CAUSED THE PLAINTIFF TO BECOME INTERNALLY ILL FOR WHICH THE DRUG BACTRIM WAS PRESCRIBED ON 2/28/08).

IN AN ATTEMPT TO HELP MINIMIZE THE TOXIC LOAD, ~~THE DEFENDANTS~~ THE DEFENDANTS SHUT THE "HOT WATER" OFF, IN ORDER TO ALLOW JUST THE CONSUMPTION OF COLD WATER EVERY TUESDAY.

GIVEN REASON FOR SO MANY MYSTERIOUS ILLNESSES HERE AT THE D.C.C., CAUSING PLAINTIFF BACTERIA INFECTION, DRY AND CRACKED SKIN. (SEE GRIEVANCE D.C.C.)

8TH U.S.C.A VIOLATION

VIOLATION OF 11 DEC § 6502, 6504, 6517

THE SHU IS BUILT ON SWAMP LANDFILL, SAID "HOT WATER", IS SWAMP WATER.

#114.) IN THE SHU, THE SHIFT 8AM TO 4PM  
HOUSING LT, HAS THE AUTHORITY TO DENY  
MY LEGAL TELEPHONE CALLS PER 883 FORM;  
AND BECAUSE OF THIS THE OUTGOING AND INCOMING  
LEGAL MAIL SHOULD BE, ON A DAILY BASIS,  
DEIVERED AND PICKED UP BY AN INDEPENDANT  
MAIL CARRIER SERVICE. D.C.C HAS PREJUDICED  
THE PLAINTIFF BY ALLOWING THE DEFENDANTS TO  
HOLD MY LEGAL MAIL, CAUSING MY POSTCONVICTION  
TO BE DENIED. (SEE GRIEVANCE D.C.C.).  
FOR WHICH CAUSED IRREPARABLE HARM.

1ST U.S.C.A VIOLATION

#115.) DEFENDANTS HAVE VIOLATED THE  
PLAINTIFF IN SUCH A MANNER THE  
HIS FIRST MOTION FOR PRELIMINARY  
INJUNCTION SHOULD BE TAKEN INTO  
CONSIDERATION IN CONJUNCTION ~~WITH~~  
WITH THE PLEADINGS AND EXHIBITS  
SUBMITTED HEREIN.

SEE DR# 1040090 AND DR# 1040111

#116. FOR THE PLEADINGS AND EXHIBITS  
#1 #2 AND #3 TO BE VIEWED  
AS MOTIONS TO AMEND, AS WELL AS  
TO SUPPORT THE PLAINTIFFS SECOND  
AMENDED MOTION FOR PRELIMINARY  
INJUNCTION, PURSUANT TO FED R. CIV P # 65.

DEPENDANTS MOTION FOR ~~THE~~ SUMMARY  
JUDGEMENT IS PREMATURE ABSENT AN  
RESPONSE TO PLAINTIFFS COMPLAINT, AND  
AN COURT ORDER FOR SCHEDULING ORDER  
FOR DISCOVERY. SAID SUMMARY ~~MOTION~~ MOTION  
SHOULD NOT BE CONSIDERED WITHOUT FIRST  
ALLOWING PLAINTIFF AN ~~OPPORTUNITY~~ OPPORTUNITY  
TO MARSHALL THE FACTS VIA DISCOVERY,  
AFFIDAVIT, DEPOSIT BY WRITTEN ORDER,  
INTERROGATORIES, ADMISSIONS.



#117) UNDER THE EXCEPTIONAL CIRCUMSTANCES  
 CA NO. 04-1350 GMS, 06-778 GMS AND  
 05-013 GMS SHOULD BE TAKEN INTO  
 CONSIDERATION, DUE TO THE DEFENDANTS ALL  
 BEING STATE EMPLOYEES WHO NETWORK  
 UTILIZING THE SAME CLASSIFICATION RECORDS,  
 SAME MEDICAL RECORDS, SAME MENTAL HEALTH  
 RECORDS, THE SAME D.O.C DAX COMPUTER SYSTEM,  
 THE SAME TRANSPORTATION SYSTEM, THE SAME  
 POLICYS FOR DISCIPLINARY - PSYCH OBSERVATION,  
 SAME HOUSING RULES.

NOTE 50% OF THE DEFENDANTS ~~ON~~ FROM  
 H.R.Y.C.I CA NO - 05-013 (GMS) NOW WORK  
 AT THE D.C.C, CA NO 06-778 (GMS).

THE H R Y C I, THE D.C.C AND THE D.P.C  
 ARE INTRICATELY WOVEN TOGETHER.

THIS NOT A MOTION TO CONSOLIDATE  
 CA NO. 04-1350 (GMS).

# 118.) ON TUESDAY, APRIL 14, 08 THE PLAINTIFF WAS SERVED WITH A TRAY OF TURKEY SALAD, POTATO SALAD, ZESTY BEAN SOUP, APPRESAUCE, AND WHEAT BREAD SERVED BY 8 AM TO 4 PM OFFICER WILLIAMS, THAT CAME OUT OF THE SHU 17 A UNITS HANDICAP CELL BECAUSE HE INFORMED THE CO HE DIDNT WANT IT.

THE DILEMMA IS THAT PLAINTIFF NOW PRESENTS WITH SLIGHT FEVER, SEVERE HEADACHE, YELLOWISH GREEN DIARRHEA, RUNNY NOSE, BLURRY VISION, FROM 4/18/08 UP TO DATE:

THE DILEMMA IS THAT IT HAS SINCE BECOME COMMON KNOWLEDGE THAT SAID INMATE "~~INMATE~~" WAS SERIOUSLY INFECTED WITH "MERCA" BACTERIA. THE PLAINTIFF HAS SOUGHT TO BE CULTURED FOR INTERNAL MERCA, TO HAVE SAID CULTURE SUBMITTED TO BIOREFERENCE LABORATORIES TO CHECK IT FOR MERCA GROWTH, BUT TO NO AVAIL. PLAINTIFF HAS FILED SICK CALL AND GRIEVANCE. DEFENDANTS DID NOT QUARANTINE SHU 17 A UNIT EVEN THOUGH SAID INMATE UTILIZED PHONES AND SHOWERS LIKE PLAINTIFF.  
8TH U.S. CA VIOLATION

VIOLATION OF 11 DEC C & 6523, 6531, 6536, 6502, 6504, 6517 NOTE: "POSSIBLY A NONE CLAIM"

#119.) C/O JELIFFE 30 SOMETHING YEARS OLD,  
250 lbs BLOND HAIR BLUE EYES, DESCRIBED IN THE  
SEPT 6, 06 INCIDENT WITH PLAINTIFF IN THE D.C.C  
INFIRMARY, CA NO-06, 778(GMS), AND  
C/O JELIFFE 60 SOMETHING YEARS OLD 6-1",  
275 lbs SILVER HAIR SILVER BEARD DESCRIBED IN  
THE 12/14/07 INCIDENT WITH PLAINTIFF,  
PRELIMINARY INJUNCTION, ARE FATHER AND SON.  
THE 60 YR OLD JELIFFE UTILIZED EXCESSIVE FORCE  
ON PLAINTIFF. BECAUSE OF THE CIVIL COMPLAINT  
FILED ON THE 30 YR OLD JELIFFE. (SEE 2/2/08 GRIEVANCE

CIVIL ASSAULT AND BATTERY, 1ST AND 8TH  
USCA VIOLATION. VIOLATION OF 11 DEL C § 6535,  
6525, 6504, 6502, 6517.



#120.)

FOR THIS HONORABLE COURT  
 TO ISSUE A WRIT OF HABEAS CORPUS  
 TO THE WARDEN OF THE D.C.C.,  
 TO TEST THE VALIDITY OF ~~THE~~  
 THE PLAINTIFF'S CONTINUED INCARCERATION  
 AT LEVEL II. PLAINTIFF SHOULD HAVE  
 BEEN PLACED IN THE SUPERVISED  
 CUSTODY LEVEL IV PLUMMER CENTER  
 ON 12/9/07, AS JUDGE ABLEMAN'S  
 FEB 20, 08 NOTATION POINTS OUT TO  
 PLAINTIFF, IS WHAT SHE INTENDED AFTER  
 PLAINTIFF COMPLETED HIS LEVEL IV  
 COMMITMENT FOR CARJACKING 2ND.

FURTHERMORE, PLAINTIFF IS SIX MONTHS  
 PRIOR TO HIS MAY DATE AND DEFENDANTS  
 REFUSE TO PROVIDE PRE-RELEASE  
 TREATMENT, LIKE IT IS PROVIDED FOR  
 OTHER D.C.C INMATES BECAUSE OF  
 DEFENDANTS DELIBERATE INDIFFERENCE  
 TO PLAINTIFF DUE TO CIVIL COMPLAINTS HE  
 FILED AGAINST THEM.

1ST, 6TH, 8TH AND 14TH U.S.C.A VIOLATIONS  
 VIOLATIONS OF 11 DEL C § 6502, 6504, 6517, 6533, 6531

# 121.) FOR THIS HONORABLE COURT TO ISSUE AN ORDER A WRIT OF MANDAMUS ORDER TO COMPEL THE PLAINTIFF'S CUSTODIANS, THE DEFENDANTS TO TRANSFER HIM TO HIS NEXT LEVEL OF COMMITMENT LEVEL IV PLUMMER CENTER.

# 122.) DEFENDANTS ~~WAS~~ DELIBERATELY ARE HOLDING PLAINTIFF AT LEVEL II UNTIL 11/1/08, WHEN PLAINTIFF DID NOT VIOLATE HIS SUSPENDED SENTENCE.

~~SOMETHING~~ (SEE SENTENCING ORDER AND JUDGE ABLEMAN'S FEB 20, 08 NOTATION TO PLAINTIFF.) AS OF 12/9/07 PLAINTIFF BEGAN HIS COMMITMENT FOR CR# 105 03-06-0176, (6 MONTHS PLUMMER CENTER LEVEL II, 6 MONTHS LEVEL III PROBATION).

SEE DEFOE V. STATE OF DEL. , i.e., WRIT OF MANDAMUS PETITIONER.

AFTER 90 DAYS ~~AND~~ HOLD AT LEVEL II, WAITING FOR LEVEL IV, CUSTODIANS ARE TO TRANSFER PETITIONER TO LEVEL III AND FILE THE APPROPRIATE MODIFICATION WITH THE SENTENCING JUDGE, AS OF TO DATE TO NO AVAIL.

#123.) % BOROMEE, LT PETER FORBES AS WELL AS OTHER D.C.C OFFICERS ARE SEEKING TO UTILIZE "SUICIDE", ~~DEMONSTRATING~~ AS A TACTIC, TO COME INTO THE PLAINTIFF'S ASSIGNED CELL, (SHU 17, A L 1), TO DO HIM PHYSICAL HARM, (SEE LT PETER FORBES APRIL 11, 08 AFFIDAVIT), DUE TO PLAINTIFF FILING CIVIL COMPLAINT AGAINST THE DEFENDANTS.  
1ST, 8TH USCA VIOLATIONS

NOTE: % BOROMEE IS THE OFFICER WHO ASSAULTED DWAYNE PORTER, CITRIS DOUGHERTY, AND ~~AKBAR~~ AKBAR HASSENEEL ON (SHU A UNIT), PER LT PETER FORBES, (SEE THE D.C.C REPORTS FOR MARCH 2008 AND APRIL 2008).

THE AMOUNT OF FORCE UTILIZED AT THOSE TIMES WERE MORE THAN EXCESSIVE, IT WAS STRAIGHT OUT CRIMINAL 2ND DEGREE ASSAULT. OR MORE SO 1ST DEGREE ASSAULT.

SAID PERSONS WERE ALREADY HANDCUFFED AND SIAACKLED.

I/M Jimmie Lewis

SBI# 506622 UNIT SHU17, A1

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977



CLERK OF THE COURT (GMS)

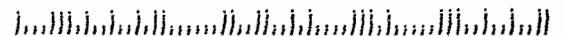
U. S. DISTRICT COURT

844 N. KING ST, LOCKBOX 18

WILMINGTON, DELAWARE

19801

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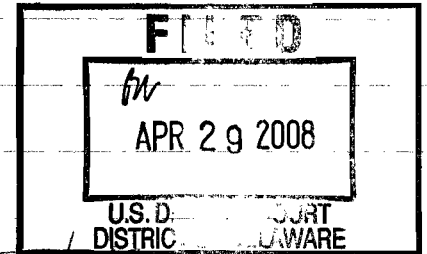
IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

Vs.

CA NO. 04-1350 (GMS)

DR. SYLVIA FOSTER, ET AL.



RE: PRELIMINARY INJUNCTION FOR  
FEDERAL INQUIRY OF DEFENDANT  
DR. SYLVIA FOSTER IS NOT A  
MOTION TO AMEND.

DATE: 4/26/08

Jimmie Lewis

SB1#506622

D.C.C

1181 PADDOCK RD

SMYRNA, DE 19977



# CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF JIMMIE LEWIS  
 DOE HEREBY CERTIFY ON THIS 25TH DAY OF APRIL,  
 2008, THAT I DID MAIL ONE TRUE AND CORRECT  
 COPY OF THE PLEADINGS AND EXHIBITS #3,  
 IN SUPPORT OF PLAINTIFF'S SECOND AMENDED MOTION  
 FOR PRELIMINARY INJUNCTION, PURSUANT TO  
 FED R. CIV P #65, BY U.S. POSTAL, TO EACH  
 OF THE FOLLOWING:

CLERK OF THE COURT (EMS)  
 U.S. DISTRICT COURT  
 844 N. KING ST, LOCKBOX 18  
 WILM, DE 19801

ERIKA Y. TROSS  
 DEPUTY ATTORNEY GEN  
 820. N FRENCH ST  
 WILM, DE 19801

JAMES DRNEC (ESC)  
 711 KING ST  
 WILM, DE 19801

DATE: 4/25/08

Jimmie Lewis  
 SBI #506622

D.C.C

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SMYRNA, DE 19977